

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

JERRY WAYNE BROWN, :  
: :  
Petitioner, : :  
: CRIMINAL NO. 08-00219-WS-B  
vs. : :  
: CIVIL ACTION NO. 09-00243-WS  
UNITED STATES OF AMERICA, : :  
: :  
Respondent. : :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 be **DENIED**. It is further **ORDERED** that, should Petitioner move for a certificate of appealability, it be **DENIED** for the reasons set forth in the Report and Recommendation, and that he is not entitled to appeal in forma pauperis.

**DONE** and **ORDERED** this 16th day of August, 2012.

S/WILLIAM H. STEELE  
CHIEF UNITED STATES DISTRICT JUDGE